

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	CASE NO. 4:22 CR 32
	)	
Plaintiff	)	JUDGE SOLOMON OLIVER, JR.
	)	
v.	)	ORDER ACCEPTING PLEA
	)	AGREEMENT, JUDGMENT AND
PHILLIP DARREL WHITMAN,	)	REFERRAL TO U.S. PROBATION
	)	<u>OFFICE</u>
Defendant	)	

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Thomas M. Parker, regarding the change of plea hearing of Phillip Darrel Whitman, which was referred to the Magistrate Judge with the consent of the parties.

On February 17, 2022 the government filed a 1 count Indictment, charging Phillip Darrel Whitman with Bank Robbery, in violation of Title 18 U.S.C. § 2113(a). On February 25, 2022 Magistrate Judge Parker held an arraignment, during which Mr. Whitman entered a plea of not guilty to the charge. On July 13, 2022 Magistrate Judge Parker received Defendant Whitman's plea of guilty to count 1 of the Indictment, with a written plea agreement, and issued a Report and Recommendation ("R&R"), concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the fourteen days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Whitman is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis

for the plea. The court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Phillip Darrel Whitman is adjudged guilty to count 1 of the Indictment, in violation of Title 18 U.S.C. § 2113(a). This matter was referred to the U.S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be held on November 2, 2022 at 11:00 a.m. in Courtroom 19A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.

UNITED STATES DISTRICT JUDGE

July 29, 2022